

STATE OF NEW-YORK.

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No. 53.

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IN SENATE,

March 15, 1837.

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REPORT

Of the Canal Board on the enlargement of the Erie canal.

TO THE SENATE.

The Canal Board, to whom was referred the resolution of the Senate, of the 21st ult., calling on them for their opinion in relation to certain matters concerning the enlargement of the Erie canal, have the honor to present the following

REPORT.

The resolution naturally divides itself into three distinct branches, viz:

"1st. Whether, in the opinion of the Board, it be not for the interest of the State to proceed with the enlargement of the Erie canal, so that the same may be completed sooner than is contemplated by the act in relation to the Erie canal, passed May 11, 1835.

"2d. Whether from the surveys, examinations and estimates now possessed, they believe said enlargement can be completed at the cost heretofore estimated, and if not, at what additional cost, including damages to individuals.

"3d. How long the navigation of said canal will be interrupted by said enlargement, and what amount of tolls will be thereby lost to the State during the time said work is in prosecution."

These inquiries the Board will proceed to answer in the order in which they are above presented.

1st. It is the opinion of the Board "that it is for the interest of the State to proceed with the enlargement of the Erie canal, so that it may be completed sooner than is contemplated by the act of May 11, 1835."

On the 30th March, 1835, the Canal Board in a report to the Assembly, (page 7 of Document 334,) made the following observations:

"In urging upon the consideration of the Legislature the importance of authorizing, at the present session, such an enlargement of the Erie canal as is conceived to be necessary to adapt it to the increasing trade of the country, the Canal Board desire to have it distinctly understood, that they do not recommend such an expenditure of money upon this work as will interfere with the arrangements now in progress for accumulating a sum sufficient to pay the Erie and Champlain canal debt, and for restoring the auction and salt duties to the General Fund. The nett proceeds of the Canal Fund for 1835, 1836 and 1837, will probably be sufficient to pay the balance of the canal debt, and meet the disbursements on the contracts for doubling the locks. At the close of 1837, the auction and salt duties will be restored to the General Fund, if the proposed amendment to the Constitution should receive the sanction of the people. After the period alluded to, the nett proceeds of the canal tolls will be sufficient to meet the disbursements necessary for improving and enlarging the canal, without having recourse to new loans for that purpose."

At the time this report was made, it was supposed that the amount which would be annually applicable to the enlargement of the Erie canal immediately after the restoration of the auction and salt duties to the General Fund, and after setting apart a sufficient amount to discharge the Erie and Champlain canal debt, would be about one million of dollars, and that this amount would be gradually augmented by the increase of business on the canals and the amount of tolls paid thereon.

The 9th section of the act of 11th May, 1835, to which the resolution of the Senate refers, provides, that after the year 1837, the expenditures for the enlargement of the canal "shall be so li-

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mited as to leave from the canal revenues, without reference to the auction and salt duties, an annual income to the State of at least three hundred thousand dollars over and above all ordinary repairs and expenditures on the Erie and Champlain canals."

The amount which the Board supposed would be annually applicable to the enlargement of the canal, was by virtue of the provision above quoted, reduced three hundred thousand dollars.

The first section of the act of May 16, 1836, chapter 356 of the Session Laws of that year, provides, that "whenever a sufficient amount of money shall have been collected and safely invested to pay the principal and interest of the debt created for the construction of the Erie and Champlain canals, it shall be the duty of the Commissioners of the Canal Fund annually to loan to the treasury of this State, for the use and benefit of the General Fund, from moneys belonging to the Canal Fund, the sum of four hundred thousand dollars."

The operation of this provision is to reduce one hundred thousand dollars more the amount which the Board supposed would be applicable to the enlargement, and to loan the four hundred thousand dollars reserved by the two acts above quoted, to the General Fund.

The Canal Board in a report made to the Legislature on the 26th of January, 1836, under the act passed May 11, 1835, (see Assembly Documents of 1836, No. 98, page 11,) say, "The funds at the disposal of the Canal Commissioners, for the purposes of the law under which they are now acting, will be too limited to justify a commencement of the work on every part of the line, and as speedy a prosecution to its completion as an unlimited appropriation would admit. It is therefore deemed advisable to confine the operations to the line between Albany and Syracuse, until such time as the funds will justify a beginning on other parts of it, without interfering with the speedy completion of the work on the line above referred to."

In the annual report of the Canal Commissioners, made to the Legislature on the 25th of January, 1837, (Assembly Document, No. 73,) it is said at page 22, "The work under contract is to be completed at different periods in the years 1837, 1838 and 1839."

At page 23, it is said, "The estimated cost of the work under contract, (exclusive of damages,) is \$3,035,087.44." "The work now under contract will nearly consume the amount of tolls applicable to the enlargement for the years 1836, 1837, 1838 and 1839. If this estimate is correct, not much additional work can be put under contract until 1839."

"The Commissioners deem it their duty to state, that there are several places on the canal where its immediate enlargement would be advantageous to the navigation."

If the amount in contemplation of the Canal Board, when their report of March, 1835, was made, could be used for the enlargement of the canal, it is probable that during the present year all of the work between Albany and Syracuse necessary for doubling the locks, and adapting the other structures and the canal to their convenient use, could be put under contract to be completed by the commencement of navigation in 1841, which is as soon as the work could be done with a due regard to economy. This would admit of an increase of business after 1840 on this part of the canal, where the press is at all times to be the greatest, to nearly double the present amount, which would greatly increase the funds after that time for the further prosecution of the work of enlargement.

If the means contemplated by the report above referred to, were applicable to the enlargement, an amount of work, requiring the expenditure of \$1,800,000 by the end of the year 1840, might be put under contract, in addition to the work now contracted, and to the expense of doubling the locks between Albany and Syracuse, and adapting the canal and other works to their convenient use. The enlargement through the mountain ridge at Lockport, and at other places, requiring an unusual length of time to complete it, might in this condition of the funds, be in progress the next winter. After the year 1840, there would probably be at least \$1,500,000 annually to be applied to the enlargement.

2d. In the report made by the Canal Board to the Legislature on the 26th of January, 1836, before referred to, it is said at page 5, "The aggregate of the estimates, including the cost of a double set of lift locks, on the whole line is, for the largest canal, \$12,416,150.17, equal to \$34,204.37 per mile." This estimate was for a canal of seven feet depth of water, and seventy feet width of

surface, the dimensions decided on by the Board for the enlarged canal.

In the same report, at page 6, it is said: "These estimates include the expense of removing buildings from the line, but nothing for damages."

It is also said, at page 6 of said report: "These estimates were no doubt made with all practicable care and correctness; but it is difficult to speak of them with much certainty. Great allowances should be made on account of the shortness of the time allotted for this service, and the difficulty of estimating the value of work which must be done under circumstances like those attending the improvement in question."

The Canal Board are not possessed of any other surveys and estimates of the entire cost of the enlargement of the Erie canal than those made by the engineers in 1835, and submitted to the Legislature by the Board, and which are printed with their report of January 26, 1836. So far as these estimates have been tested, by putting the same kind of work on which they were made under contract, they have been found to be remarkably accurate. Some of the work has been contracted at prices above and some below these estimates. Changes of the plans of some of the mechanical work have been made, making it more permanent and expensive than that on which the estimates were founded. Some parts of the line on which the estimates were made, have been changed; and other changes of the line will probably be made, with a view to its improvement. These changes may, and probably will, in some cases, increase the expense of the work.

The Board do not "believe said enlargement can be completed at the cost heretofore estimated;" for the reasons that the plans for some of the mechanical work have been changed; that parts of the line have been and other parts probably will be changed; and that the cost of constructing work is greater than it was when the estimates were made. They do not believe, if prices were the same as they were at the time the estimates were made, that the cost of the work would exceed the estimates, excepting the increase occasioned by changes of the plans or of the line. They cannot form an opinion of the additional cost of the work beyond the estimate; but they do not believe it will amount to a large sum, ex-

clusive of damages. The amount will greatly depend upon the prices of labor and provisions.

There has been no estimate of damages to individuals. It is provided by statute that the damages to individuals are to be appraised by three appraisers appointed by the Governor and Senate. The appraisers decide upon claims for damages, from the information obtained by them in viewing the premises, and from the evidence, if any, received by them from witnesses. An appeal from the decision of the appraisers may be entered by the claimant, or the Canal Commissioners, to the Canal Board; who may reverse, affirm or modify their appraisement; and their decision shall in all cases be final and conclusive. Making an estimate of damages to individuals might embarrass the canal appraisers and the Canal Board, in their action upon the claims presented to them for decision.

In the cities and villages through which the canal passes, large sums will unquestionably be claimed for damages. Through the greater part of the line, it is not probable that the claims for damages will be any more than the value for farming purposes of the land taken. The Board have full confidence that the appraisements will be made with due regard to the interests of individuals and of the State.

3d. It has never been intended or supposed that there would be any interruption of the navigation of the canal during the progress of the enlargement. On the contrary, the Board have uniformly regarded it as indispensable, that the navigation should be maintained at all hazards; and they have no reason to apprehend that there will be any insuperable difficulty in carrying this determination into effect. No tolls will, therefore, be lost to the State during the enlargement of the canal.

March 14, 1837.

JONAS EARLL, Junior.

JOHN A. DIX,

JOHN BOWMAN,

A. KEYSER,

WILLIAM BAKER,

WILLIAM CAMPBELL,

S. BEARDSLEY,

A. C. FLAGG.